



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
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ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

August 24, 2006

IN REPLY PLEASE

REFER TO FILE: **MP-5**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF INTENTION TO VACATE WALK  
SOUTH OF MILBURN DRIVE, CITY TERRACE  
FUTURE PUBLIC HEARING  
SUPERVISORIAL DISTRICT 1  
3-VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Adopt the enclosed Resolution of Intention to Vacate with Reservations the Walk south of Milburn Drive in the unincorporated County area known as City Terrace, pursuant to Section 8320, et seq., of the California Streets and Highways Code.
2. Set the matter for hearing not less than 15 days from the adoption of the Resolution pursuant to Section 8320 of the California Streets and Highways Code.
3. Instruct the Executive Officer of the Board to publish the enclosed Notice of Proposed Vacation pursuant to Section 8322 of the California Streets and Highways Code.

**AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:**

1. Adopt the enclosed Resolution to Vacate with Reservations the walk, pursuant to Section 8324 of the California Streets and Highways Code, after finding that:

- a. The vacation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Sections 15304, 15305, and/or 15321 of Title 14 of the California Code of Regulations (the State CEQA Guidelines).
  - b. The walk is no longer needed for present or prospective public use and is not useful as a nonmotorized transportation facility.
  - c. The public convenience and necessity require the reservation and exception of easements and rights as set forth in Section 8340 of the California Streets and Highways Code.
2. Upon approval, authorize Public Works to record the certified original Resolution in the Registrar-Recorder/County Clerk's office.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Ms. Yesenia J. Brambilia, one of the adjoining property owners, is requesting your Board to initiate proceedings for vacation of the walk pursuant to Streets and Highways Code Section 8320(a)(2). Ms. Brambilia requested the vacation to increase the possible buildable area for future development and to help prevent gang activity in the area.

It is in the County's best interest to vacate the walk since it no longer serves the purpose for which it was dedicated nor is it required for general public access, circulation, or as nonmotorized transportation facility. The vacation will neither cut off access to adjacent properties nor negatively impact the surrounding properties. The vacation also allows Public Works to divest itself of unnecessary and excess right of way.

#### **Implementation of Strategic Plan Goals**

This action meets the County's Strategic Plan Goal of Fiscal Responsibility as the vacation of the walk will result in added revenue through assessment and taxation and reduce the County's possible exposure to liability.

### **FISCAL IMPACT/FINANCING**

Vacation of the walk will not have any negative fiscal impact on the County's budget. The applicant has paid a \$1,500 fee to defray the expenses of investigation, mailings, publication, and posting. The fee is authorized by your Board in Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule).

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The area to be vacated contains approximately 2,836 square feet and is shown on the map attached to each Resolution.

The County's interest was acquired as a walkway easement at no cost to the County by dedication on the map of Tract No. 6481, recorded in Book 90, pages 74 to 77, inclusive, of Maps, on file in the Registrar-Recorder/County Clerk's office.

Adoption of the enclosed Resolution will terminate the County's rights and interest in the walk. Your action will also result in the property being unencumbered of the walk, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated area.

### **ENVIRONMENTAL DOCUMENTATION**

Based on the foregoing, this proposed vacation is categorically exempt from CEQA as specified in Sections 15304, 15305, and/or 15321 of the State CEQA Guidelines.

### **IMPACT ON CURRENT SERVICES OR PROJECTS**

The County of Los Angeles Fire Department has found that the proposed vacation will not affect its ability to respond to fire and medical emergencies and no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation is not in conflict with the County-adopted General Plan. Parks and Recreation and Regional Planning have determined that the vacation area is not suitable for bicycle paths or trails. Existing easement rights for utility facilities will be reserved to Southern California Edison Company and Pacific Bell Telephone Company (dba AT&T).

The Honorable Board of Supervisors  
August 24, 2006  
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## **CONCLUSION**

This action is in the County's best interest. Enclosed are a Resolution of Intention to Vacate and a Resolution to Vacate with Reservations, both approved as to form by County Counsel, vacating the walk. Upon adoption of the Resolution of Intention to Vacate, please transmit two conformed copies of the Resolution and the Notice of Proposed Vacation to Public Works, who will post the notices pursuant to California Streets and Highways Code Section 8323. Upon adoption of the Resolution to Vacate with Reservations, please return one executed original to Public Works, together with two conformed copies and a copy of the Board's minute order, for further processing. We will record the Resolution to Vacate with Reservations and return the executed original Resolution to you when recorded. In the interim, please retain one executed original for your files.

One adopted copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE  
Director of Public Works

JLS:gp  
P5:WALK VACATION

Enc.

cc: Chief Administrative Officer  
County Counsel

**RESOLUTION OF INTENTION TO VACATE WITH RESERVATIONS  
WALK SOUTH OF MILBURN DRIVE**

WHEREAS, it is proposed that the Walk south of Milburn Drive, in the unincorporated County area known as City Terrace, State of California, be vacated as a public easement; and

WHEREAS, the proposed vacation has been approved by the Director of the County of Los Angeles Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, that it is the intention of said Board of Supervisors to order that the aforementioned right of way legally described in Exhibit A and as shown by the map in Exhibit B, both attached hereto and incorporated herein by this reference covering the right of way in the County of Los Angeles, State of California, be vacated, pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320;

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the hour of \_\_\_\_\_ a.m./p.m. of said day, is the day and hour, and the Hearing Room of the Board of Supervisors, Room 381 Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California, 90012, is the place fixed by the Board of Supervisors when and where any and all persons having objections to the proposed vacation may appear before the said Board of Supervisors and show cause why said proposed vacation should not be made in accordance with this Resolution.

IT IS FURTHER ORDERED that a notice of such proposed vacation be conspicuously posted, along the line of the area proposed to be vacated, in the manner and in the form required by law, and shall cause same to be published in \_\_\_\_\_ a newspaper of general circulation published in the County, for at least two successive weeks prior to the day fixed for the hearing.

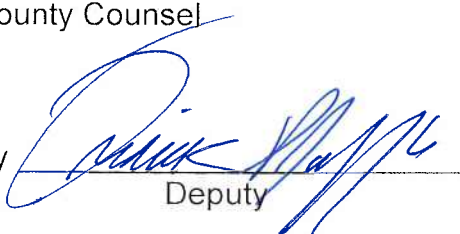
The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted and ordered by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By

  
Deputy

By

Deputy

JLS:gp

P5:WALK VACATION

**NOTICE OF PROPOSED VACATION OF WALK  
SOUTH OF MILBURN DRIVE, IN THE VICINITY OF CITY TERRACE,  
IN THE 1ST SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a Resolution of Intention was adopted by the Board of Supervisors of the County of Los Angeles on \_\_\_\_\_, 20\_\_\_\_, declaring its intention to vacate the Walk south of Milburn Drive (City Terrace, CA 90063) in the 1st Supervisorial District, as described in Exhibit A and as shown by the map in Exhibit B, both attached hereto and incorporated herein by this reference.

The vacation proceeding is conducted pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code of the State of California, commencing with Section 8320.

A hearing on the proposed vacation will be held in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California, 90012, on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California, adopted \_\_\_\_\_, 20\_\_\_\_.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By  Deputy

By \_\_\_\_\_ Deputy

JLS:gp  
P5:WALK VACATION

**RESOLUTION TO VACATE WITH RESERVATIONS  
WALK SOUTH OF MILBURN DRIVE**

WHEREAS, the Board of Supervisors of the County of Los Angeles, State of California, did on \_\_\_\_\_, 20\_\_\_\_, adopt the Resolution of Intention to Vacate with Reservations as a public easement the Walk south of Milburn Drive in the vicinity of City Terrace in the County of Los Angeles, State of California, legally described in Exhibit A and shown by map in Exhibit B, both attached to said Resolution, pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California commencing with Section 8320; and

WHEREAS, notice of proposed vacation has been given by publication and by posting; and

WHEREAS, said Board of Supervisors held a public hearing on said proposed vacation \_\_\_\_\_, 20\_\_\_\_; and

WHEREAS, said Board of Supervisors has found and determined that, the area to be vacated is no longer necessary for present or prospective public use based upon the following fact that the subject right of way is not required for general public access or circulation and is not useful as a nonmotorized transportation facility.

NOW, THEREFORE, IT IS ORDERED by the Board of Supervisors of the County of Los Angeles, State of California, that the above-referenced right of way is hereby vacated pursuant to Chapter 3, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights for utility facilities owned by Southern California Edison Company and Pacific Bell Telephone Company (dba AT&T), as set forth in Sections 8340 and 8341 of said Streets and Highways Code;

AND BE IT FURTHER RESOLVED that Public Works be authorized to record the certified original Resolution in the office of the Registrar-Recorder/County Clerk, at which time the area vacated will no longer be a public easement.

The foregoing Resolution was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, adopted by the Board of Supervisors of the County of Los Angeles, State of California.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

SACHI A. HAMAI  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles

By  \_\_\_\_\_  
Deputy

By \_\_\_\_\_  
Deputy

## EXHIBIT A

### WALKWAY SOUTH OF MILBURN AVENUE

A.M.B. 5226-025

T.G. 635-F3

I.M. 129-217

R.D. 142

S.D. 1

M0688106

### LEGAL DESCRIPTION (Vacation of Easement)

All that certain 10-foot-wide strip of land lying westerly of and adjoining Lots 403 and 414 of Tract No. 6481, as shown on map recorded in Book 90, pages 74 to 77, inclusive, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, designated as "WALK", on said map.

RESERVING easements and rights for utility facilities owned by Southern California Edison Company and Pacific Bell Telephone Company (dba AT&T) in, on, over, and across the above-described portion of walk hereby being vacated.

The reservations herein being made are done in accordance with the provisions of Sections 8340 and 8341 of the Streets and Highways Code, State of California.

Containing: 2,836± square feet.

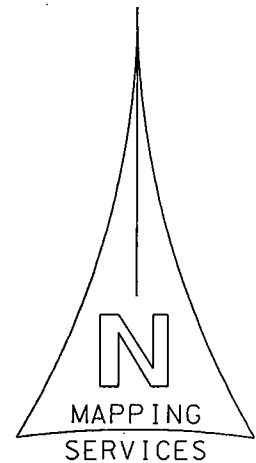
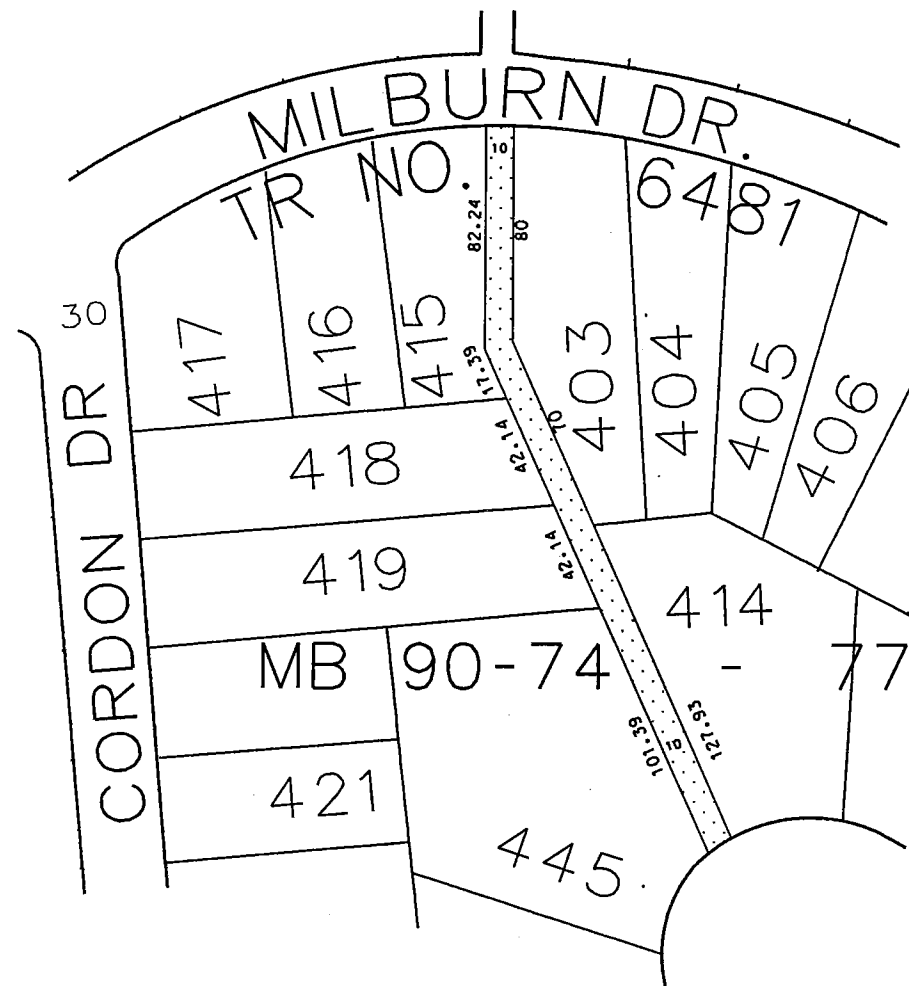
APPROVED AS TO DESCRIPTION	
<u>July 10</u> , <u>2006</u>	
COUNTY OF LOS ANGELES	
By	<u>[Signature]</u>
SUPERVISING CADASTRAL ENGINEER II Mapping & Property Management Division	

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the Land Surveyors Act.

NS:sl


MP-5\Leg ns walkway



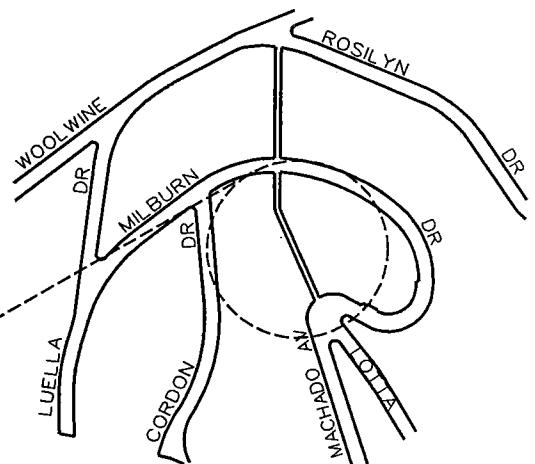


# EXHIBIT B

## LEGEND

 Area to be vacated  
Total Area: 2,836 sq. ft.

## SUBJECT LOCATION



## REVISIONS

1.	2.	3.
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## DEPARTMENT OF PUBLIC WORKS

## MAPPING & PROPERTY MANAGEMENT DIVISION

SD. 1	RD. 142	A.M.B. 5226-025	T.G. 635-F3
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WALKWAY S/O  
MILBURN AVE

DRAWING NO.

SCALE  
NONE

DATE  
10-25-05

I.M.  
129-217

M0688106